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# YALE LAW JOURNAL

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Permission to professional students of the university to occupy rooms in certain of the dormitories, which has been taken advantage of this year only to a slight extent, bids fair by another year to be more sought after, as this possibility becomes better known. It is another step towards the realization of the university ideal, the wiping out of certain departmental lines and limitations. To be sure it does not go quite so far as had been hoped, in that academic seniors wishing to spend further time in study cannot in every case retain their campus rooms, thus putting the force of inertia on the side of continued residence. But if men desire this, it ought in time to be conceded also. Extensive occupancy of campus rooms by members of all departments is very unlikely. A sprinkling of professional students, however, amongst academic undergraduates, we believe, would be beneficial to both, conducing to orderliness, to seriousness of purpose, and to unity of university life. In availing themselves of this privilege, men should understand that their occupancy must be stable, for the entire year, subject to good behavior, and that charges must be promptly paid. Otherwise the system will break down. Subject to these conditions there is no reason why an entry, or a floor at least, should not be packed by a congenial set, and the intolerable sense of loneliness, which is such a bar to the return of academic graduates for further study here, be in great measure relieved.

The emphasis laid on the solidarity and unity of the University which is one of the striking features of to-day, is seen in a minor way in a new feature of our smoking room.

Record boards have been set up there, which are inscribed with the names of those members of the Law School who have won distinction in the intellectual or athletic life of the whole university. The winners of the John A. Porter prize, members of university debating teams, captains of university teams, along with our own Townsend prize winners; these are recorded and are to be recorded, to minister to our own *esprit de corps*, and to show the part we play in the university life, and this is well. Loyalty, enthusiasm, the Yale spirit, qualities which we all honor, are not confined to one department or to one locality. We are all members of one family, with no more right to the family name belonging to one than to another. When this simple truth is fully realized by all branches of Yale, and not till then, will Yale be a university indeed.

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## COMMENT.

### THE ORIGIN OF MUNICIPAL INCORPORATION.

At the meeting of the American Bar Association at Saratoga Springs, in August last, Mr. Amasa M. Eaton of Providence, Rhode Island, read a paper on "The Origin of Municipal Incorporation in England and in the United States." The paper is to be published in full in the Proceedings of the Association, and it will deserve a careful reading by all persons who are at all interested in the subject of Municipal Incorporation. In 1722 Thomas Madox, in his Preface to "Firma Burgi" wrote: "Whoso desireth to discourse in a proper manner concerning corporated towns and communities, must take in a great variety of matter and should be allowed a great deal of time and preparation. The subject is extensive and difficult." Mr. Eaton's paper begins very appropriately with this quotation from Madox. While the paper covers some eighty printed pages—a somewhat unusual length for a paper before the Bar Association—it is difficult to see how the author could have compressed satisfactorily his subject matter into much less space. No student of the subject will be inclined to complain about the length of the paper, and no student of the subject can afford not to read it in its entirety. It is an able and learned presentation of an important subject, and a distinct and valuable contribution to the literature of that subject. That Mr. Eaton has spent a great deal of time in his investigation of the matter his paper makes evident.

In the United States two opposing views are held as to the relation of town and State. One is that the State is absolutely paramount; that it created the towns, has absolute power over them and